



**LABOUR LAW
SUPPLEMENT**

BRIAN LANGILLE

**FACULTY OF LAW
UNIVERSITY OF TORONTO
SPRING TERM 2003**

**These Materials are distributed solely for classroom use by the students in the
Faculty of Law, University of Toronto**



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LABOUR LAW

Spring 2003

Professor Langille

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Office Hours: Monday 3:00 – 4:00 p.m.

SESSION 1

Mon Jan 6

Introduction and Overview

Casebook: pp. 1-20

Film: "A Suit of Many Countries"

SESSION 2

Wed Jan 8

Values and Assumptions

Casebook: pp. 20-85; 95-97 (Christie v. York Corp.)

Supplement: 1. *Courchene*, "A Mission Statement for Canada"

SESSION 3

Mon Jan 13

Common Law - Who is an Employee?

Casebook: pp. 86-93

Supplement: 1. *Denham v. Midland Mutual****

2. *Doyle v. London Life*

3. *Structural Map of The Canadian Labour Market*

4. Langille "Canadian Labour Law Policy: New "Platform, New Paradigm"

SESSION 4

Fri Jan 15

Common Law of Employment II

Basic Structure of one Contract of Employment

Casebook: pp. 99-111 (*Greenberg v. Meffert****) ; 127-129 (*Hill v. Peter Gorman****)

Supplement: 1. *Felker v. Electrosource* (Ont. CA 2000)

2. *Ceccol v. Ontario Athletic Federation* (Ont. CA 2001)

SESSION 5

Wed Jan 22

The Common Law: Dismissal

Casebook: pp. 111-127; 129-154 (*Wallis v. United Grain Growers**)

Supplement: 1. *Haldane v. Shelbar* (Ont. CA 1999)

2. *McKinlay v. BC Tel* (SCC 2001)

SESSION 6

Wed Jan 22

The Scope of Collective Bargaining

Casebook: pp. 204-248 (*Hearst Publications* p. 207***)

Supplement: 1. *Smith and Rhuland**** (SCC 1953)

2. *Dunmore* (SCC 2002)

SESSION 7

Mon Jan 27

Unfair Labour Practices I

Casebook: pp. 249-273 (*International Wall Coverings* p. 260*)

SESSION 8

Wed Jan 29

Unfair Labour Practices II

Casebook: pp. 273-302

Supplement: *Baron Metals* (OLRB 2001)

SESSION 9
Wed Feb 7 Bargaining Units
Casebook: pp. 303-330; 344-366

SESSION 10
Mon Feb 10 Systems for Determining Employee Support
Casebook: pp. 330-338

SESSION 11
Mon Feb 10 Negotiations I – Scope of the Duty
Casebook: pp. 367-390
Supplement: 1. "CAW Wielded Big Stick" *Globe and Mail Report on Business*, Oct. 30, 2002
2. "A New Language, a new deal," *Globe and Mail*, Oct. 30, 2002
3. "Ford Warns Subsidize or Lose Job," *Globe and Mail*, Nov. 9, 2002

SESSION 12
Wed Feb 12 Negotiations II – Content of the Duty
Casebook: pp. 390-420

Reading Week

SESSION 13
Mon Feb 24 Industrial Conflict I
What is a Strike, and What is Not?
Casebook: pp. 421-441; 447-459

SESSION 14
Fri Feb 26 Industrial Conflict II Remedies
Casebook: pp. 459-496

SESSION 15
Mon March 3 Industrial Conflict III Picketing
Casebook: pp. 496-512; 521-530
Supplement: 1. *Aristocratic Restaurants**** (SCC 1951)
2. *K Mart* (SCC 1999)
3. *Pepsi Cola* (SCC 2002)

SESSION 16
Wed March 5 Industrial Conflict IV - Working During Strikes
Casebook: pp. 531-545
Supplement: 1. *PACCAR* (SCC 1988)

SESSION 17
Mon March 10 The Individual and Collective Bargaining I – Duty of Fair Representation
Casebook: pp. 676-703
(*Steele v. Louisville* p. 684***; *Bukvitch* p. 689*; *Rayonier* p. 697*)

SESSION 18
Wed March 12 The Individual and Collective Bargaining II - Internal Trade Union
Affairs and Union Security Clauses
Casebook: pp. 717-719; 719-737
Supplement: 1. *Berry v. Pullen* (SCC 2002)
2. *Advance Cutting and Coring* (SCC 2001)
3. *Rights of Labour Act*

SESSION 19

Mon March 17 The Collective Bargaining Regime in Review
 Casebook: pp. 178-193
 Supplement: 1. Burkett "The Politicization of the Ontario Labour Framework in the 1990s"

SESSION 20

Wed March 19 Employments Standards I
 Casebook: pp. 738-779 (Adams p. 445**; Westeel Roscoe* p. 768; Falconbridge * p. 771)
 Supplement: 1. *Curtis Products and IWA* (Langille, 2002)

SESSION 21

Mon March 24 Employment Standards II
 Casebook: pp. 779-822

SESSION 22

Wed March 26 Human Rights Legislation I
 Casebook: 1. reread *Christie v. York Corp.* pp. 95-97
 2. pp. 823-831; 834-836; (Okanagan School Board*)
 Supplement: 1. *BCGEU v. BC* (SCC 1999)

SESSION 23

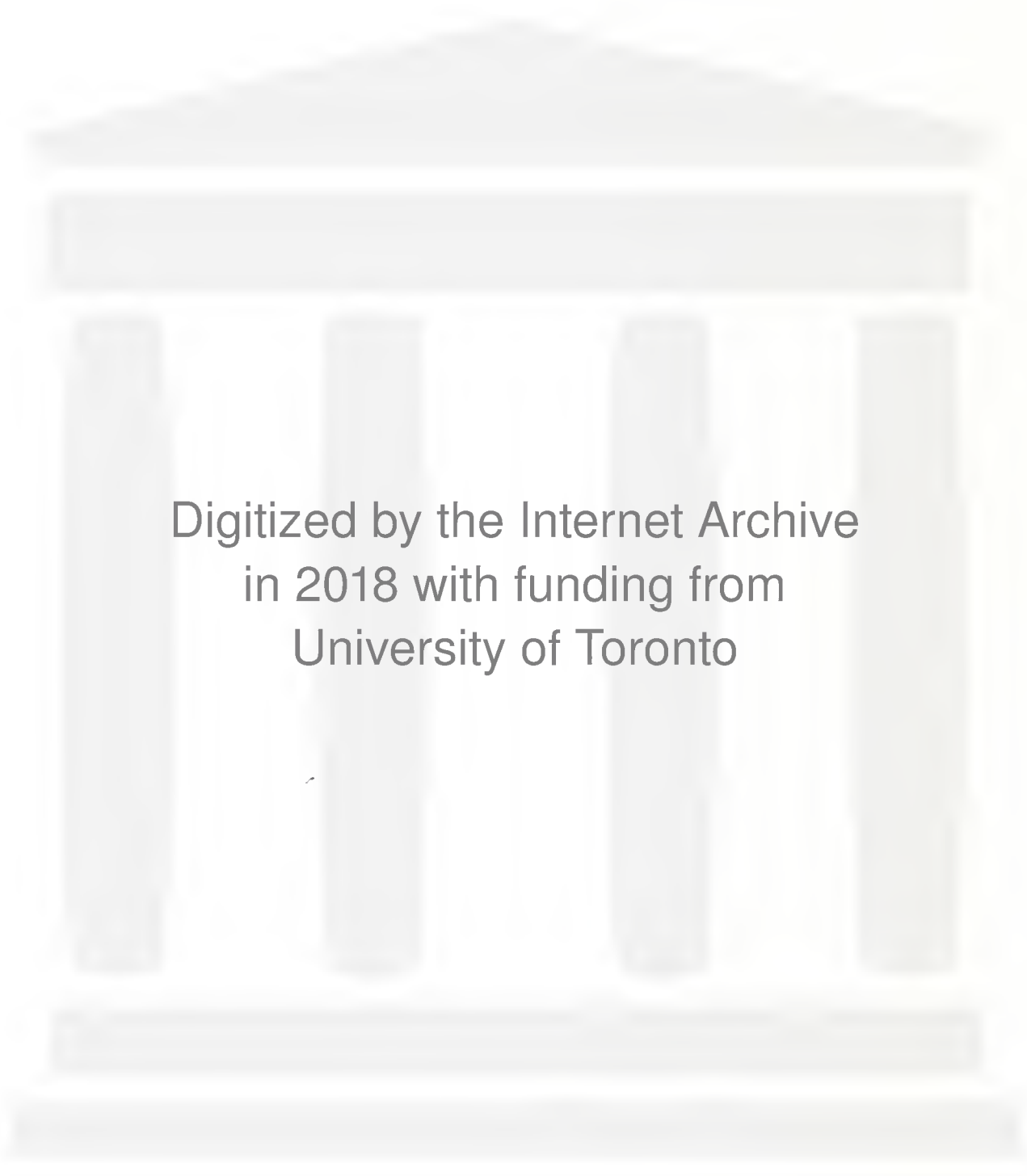
Fri April 7 Globalization and Labour Law I
 Casebook: pp. 944-986; 1019-1022
 Supplement: 1. Sen, *Development As Freedom* 3-54
 2. Langille, "Seeking Post - Seattle Clarity, and Inspiration"

SESSION 24

Mon April 7 Globalization and Labour Law II
 Casebook: pp. 1022-1027 (I.L.O.); 1033-1043 (E.U.); 1043-1050 (NAFTA); 1050-1055 (codes of conduct)

SESSION 25

Wed April 7 Review



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